



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,547	07/13/2001	Kengo Takahashi	P 027 7006 H7535US	3919

7590 09/23/2002  
Pillsbury Winthrop LLP  
Intellectual Property Group  
Suite 2800  
725 South Figueroa Street  
Los Angeles, CA 90017-5406

EXAMINER

HSIEH, SHIH YUNG

ART UNIT PAPER NUMBER

2837

DATE MAILED: 09/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/905,547

Applicant(s)

TAKAHASHI ET AL. 

Examiner

Shih-yung Hsieh

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_.

Art Unit: 2837

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Ligten (5,959,265).

Regarding claim 1, Van Ligten discloses a sound radiating structure comprising a plurality of cavity-defining members (10), each of said cavity-defining members being of a hollow shape to define an inner cavity (col. 4, line 32) that extends in a particular direction (Fig. 2), the inner cavity defined by each of said cavity-defining members having a length in the particular direction different from lengths of the inner cavity defined by other of said cavity-defining members opening outwardly at least one of opposite ends of said cavity-defining member, the inner cavities defined by said cavity-defining members being located adjacent to each other (Fig. 2).

Regarding claim 2, Van Ligten discloses said plurality of cavity-defining members are disposed so as to adjoin each other perpendicularly to the particular direction in which the inner cavities defined thereby extend (Fig. 2).

Regarding claim 3, Van Ligten discloses a support panel (12) on which said plurality of cavity-defining members are supported (Fig. 2).

Art Unit: 2837

Regarding claim 4, Van Ligten discloses the inner cavity defined by each of said cavity-defining members opens outwardly at one of the opposite ends of said cavity-defining members and is closed at another of the opposite ends (Fig. 2).

Regarding claim 5, Van Ligten discloses a detachable closure provided at least one of the opposite ends for closing the inner cavity at the at least one end (col. 4, lines 45-46).

Regarding claim 6, Van Ligten discloses the inner cavity-defining members being constructed in such a manner that the inner cavity defined thereby is adjustable in the direction in the particular direction (col. 4, lines 15-17, col. 5, lines 29-30).

Regarding claim 7, Van Ligten discloses a side opening (15) formed therein and communicating with the inner cavity defined by said cavity-defining members (Fig. 2).

Regarding claim 8, Van Ligten discloses the side portion of each of said cavity-defining members has a flat outer surface, and said plurality of cavity-defining members are disposed in such a manner that the flat outer surfaces of the side portions in said plurality of cavity-defining members together constitutes a single substantially continuous flat outer surface of said sound radiating structure (Fig. 3a).

Regarding claim 9, Van Ligten discloses an inner wall surface or ceiling surface for installation thereon of said sound radiating structure (col. 6, line 26).

Regarding claim 10, Van Ligten discloses a sound scattering method comprising: scattering a sound using sound re-radiation based on resonance of a resonant structure (10).

Application/Control Number: 09/905,547

Page 4

Art Unit: 2837

3. Any inquiry concerning this communication should be directed to (David) S.Y.

Hsieh at telephone number (703) 308-1031.

  
SHIH-YUNG HSIEH  
PRIMARY EXAMINER